



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,265	01/26/2001	Greg Arnold	PALM-3565.US.P	7984

7590 05/08/2003

WAGNER, MURABITO & HAO LLP
Two North Market Street, Third Floor
San Jose, CA 95113

EXAMINER

WALLACE, SCOTT A

ART UNIT	PAPER NUMBER
----------	--------------

2671

DATE MAILED: 05/08/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/771,265

Applicant(s)

ARNOLD ET AL.

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalra et al., U.S. Patent No. 6,490,627.

3. As per claims 1 and 20, Kalra et al discloses a method of adapting content for transmission to a computer (abstract), comprising: receiving an identifier from the computer (column 2 lines 1-50); determining a profile for downloading information to the computer (column 2 lines 1-50); and adapting content to be transmitted to the computer based upon the profile (column 2 lines 1-50).

However, Kalra et al does not specifically teach the computer is a palmtop. This would have been obvious to one of ordinary skill in the art at the time the invention was made because palmtops were well known to access the internet and because of their limited abilities had to have the information adapted.

4. As per claim 2, Kalra et al discloses wherein the determining further comprises determining a transmission speed for transmission to the computer (column 2 lines 1-50).

5. As per claim 3, Kalra et al discloses wherein the determining comprises determining a processing power for a processor residing within the computer by reference to the identifier (column 1 lines 47-63 and column 2 lines 1-50).

6. As per claim 4, Kalra et al discloses determining a display parameter for a display of the computer by reference to the identifier (column 2 lines 1-50).

7. As per claim 5, Kalra et al discloses wherein the display parameter comprises the display's color handling ability (column 16 lines 4-10).

8. As per claim 6, Kalra et al discloses wherein the display parameter comprises the display's resolution (column 2 lines 1-50).

9. As per claim 7, Kalra et al discloses determining an amount of memory available to the computer (column 2 lines 1-50).

10. As per claim 8, Kalra et al discloses determining a data transmission format (column 4 lines 1-13).

11. As per claim 9, Kalra et al discloses wherein the adapting comprises transmitting only a first frame of animated GIF (column 4 lines 1-13).

12. As per claim 10, Kalra et al discloses wherein the adapting comprises converting color images to a low resolution grey scale image (column 2 lines 1-50 and column 16 lines 1-10).

13. As per claim 11, Kalra et al discloses wherein the adapting comprises converting a digital audio signal with a first sampling rate to a digital audio signal with a second sampling rate, and wherein the second sampling rate is lower than the first sampling rate (column 4 lines 47-60).

14. As per claim 12, Kalra et al discloses wherein the identifier comprises a serial number (column 2 lines 1-50).

15. As per claim 13, Kalra et al discloses wherein the identifier comprises a request header transmitted from the computer (column 18 lines 5-15).

16. As per claim 14, Kalra discloses being carried out in a proxy server serving the computer (column 2 lines 1-50).

17. As per claim 15, Kalra et al discloses a method of adapting content for transmission to a computer (column 2 lines 1-50), comprising: receiving an identifier from the computer (column 18 lines 5-15), the identifier comprising a serial number and a request header transmitted from the computer (column 18 lines 5-15); determining a processing power for a processor residing within the computer by reference to the identifier (column 1 lines 30-65 and column 2 lines 1-50); determining a display resolution parameter and a display color handling ability for a display of the computer by reference to the identifier (column 2 lines 1-50 and column 16 lines 5-10); determining a display parameter for a display of the computer by reference to the identifier (column 2 lines 1-50); determining an amount of memory available to the computer by reference to the identifier (column 2 lines 1-50); determining a data transmission format (column 4 lines 1-14); determining a transmission speed for transmission to the computer (column 2 lines 1-50); selecting a profile for downloading information to the computer (column 2 lines 1-50); and adapting content to be transmitted to the computer based upon the profile (column 2 lines 1-50). However, Kalra et al does not specifically teach the computer is a palmtop. This would have been obvious to one of ordinary skill in the art at the time the invention was made because palmtops were well known to access the internet and because of their limited abilities had to have the information adapted.

18. As per claim 16, Kalra et al discloses wherein the adapting comprises transmitting only a first frame of animated GIF (column 4 lines 1-13).

19. As per claim 17, Kalra et al discloses wherein the adapting comprises converting color images to a low resolution grey scale image (column 2 lines 1-50 and column 16 lines 1-10).

Art Unit: 2671

20. As per claim 18, Kalra et al discloses wherein the adapting comprises converting a digital audio signal with a first sampling rate to a digital audio signal with a second sampling rate, and wherein the second sampling rate is lower than the first sampling rate (column 4 lines 47-60).

21. As per claim 19, Kalra discloses being carried out in a proxy server serving the computer (column 2 lines 1-50).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Application/Control Number: 09/771,265
Art Unit: 2671

Page 6